

USDC-MA

03-12501

**United States Court of Appeals
For the First Circuit**

No. 05-2710

JOHN HANCOCK LIFE INSURANCE COMPANY;
JOHN HANCOCK VARIABLE LIFE INSURANCE COMPANY;
and INVESTORS PARTNER LIFE INSURANCE COMPANY,

Plaintiffs, Appellees,

v.

ABBOTT LABORATORIES,

Defendant, Appellant;

Before

Torruella and Lipez, Circuit Judges
and Stafford,* District Judge.

HEREBY CERTIFIED THAT THIS
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL FILED IN MY OFFICE
AND REMAINS OF RECORD

DEPUTY CLERK OF COURT
U.S. COURT OF APPEALS
FOR THE FIRST CIRCUIT



Date: 9/28/2006

ORDER OF COURT
Entered: September 28, 2006

The court's opinion in this case is filed today under seal and made available at this time only to counsel for the parties and the district judge. The court will unseal and release the opinion in accordance with the following schedule:

Counsel for the appellant and counsel for the appellees each may advise the Clerk in writing, within seven calendar days of the date of this order, if either of them objects to the public issuance of the opinion as presently framed. If any objection is registered, the objecting party should identify (by page and line number) the language that the objecting party wishes redacted before the opinion is released publicly, together with any alternative language that might be inserted in the published opinion to replace the redacted language. The objecting party should also include a copy of any motion to seal filed earlier relating to the language now sought to be excluded

*Of the Northern District of Florida, sitting by designation.

and the relevant court order sealing same, as well as a statement of the reasons why disclosure would be inappropriate.

Objections should be made only if a party believes in good faith that highly confidential information will otherwise be divulged, and any objection shall be accompanied by a certificate of counsel to that effect.

If one or more objections are filed within the prescribed period, this court will make any revisions in the opinion that the court, in its sole discretion, deems appropriate and will thereafter release the opinion from seal.

The failure to file an objection within the seven-day period will be deemed a waiver of any objection to the publication of the opinion as is, and the existing opinion will be publicly released immediately after the expiration of the seven-day period.

Counsel are advised that this objection period does not alter the time within which a petition for rehearing may be filed.

By the Court:

RICHARD CUSHING DONOVAN

Richard Cushing Donovan, Clerk

[Certified copies to Hon. Douglas P. Woodlock and Ms. Sarah Thornton, Clerk, United States District Court for Massachusetts. Copies to Mr. Desideri, Ms. Lundgren, Ms. Troake, Mr. Edwards, Ms. Blasberg, Mr. Walsh, Ms. Barry, Mr. D'Amore, Mr. D'Orsi, Mr. Gelhaar, Mr. Zwicker, and Mr. Davis.]